

Accordingly, the Court **ORDERS** that Defendant's Motion for Summary Judgment [Court Doc. 17] is **GRANTED IN PART** and **DENIED IN PART**. Plaintiff's Motion for Judgment on the Administrative Record [Court Doc. 13] is **GRANTED IN PART** and **DENIED IN PART**. Defendant's denial of Plaintiff's disability and disability insurance benefits under Title II is **AFFIRMED**. Defendant's denial of Plaintiff's Supplemental Social Security Income benefits under Title XVI is **REVERSED** and the case is **REMANDED** pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with Magistrate Judge Carter's report and recommendation.

SO ORDERED this 21st day of May, 2008.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE